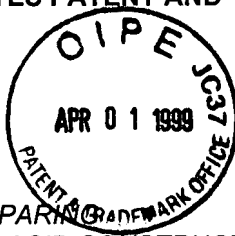


#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter D. Harney
Serial No.: 09/220,398
Filed: 24 December 1998



Atty Docket No.: VOV-003.02

Title: METHOD AND KITS FOR PREPARING
MULTICOMPONENT NUCLEIC ACID CONSTRUCTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: VectorObjects, LLC
ADDRESS OF SMALL BUSINESS CONCERN: 56 Damien Road, Wellesley, MA 02481

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the application identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME/TITLE OF PERSON SIGNING: ANTHONY M. SALERNO - CHIEF EXECUTIVE OFFICER

ADDRESS OF PERSON SIGNING: 56 DAMIEN RD. WELLESLEY MA 02481

Anthony M. Salerno
SIGNATURE

3/1/99
DATE



Docket Number: **VOV-003.02**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND KITS FOR PREPARING MULTICOMPONENT NUCLEIC ACID CONSTRUCTS

the specification of which (check one): ☐ is attached hereto.
 ☒ (X) was filed on **24 December 1998** as United States Application
 Number **09/220,398**, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| | | | |
|------------------------------|-----------------------------|-----------------------------|------------------|
| Prior Foreign Application(s) | | | Priority Claimed |
| <u>PCT/US97/10523</u> | <u>PCT</u> | <u>16 June 1997</u> | (X) Yes () No |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u> </u> | <u> </u> | <u> </u> | () Yes () No |
| (Number) | (Country) | (Day/Month/Year Filed) | |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

| | |
|-----------------------------|----------------------|
| <u>60/019,869</u> | <u>17 June 1996</u> |
| (Application Number) | (Filing Date) |
| <u>(Application Number)</u> | <u>(Filing Date)</u> |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|---|--------------------------------------|--|
| <u>08/877,034</u> (Application Number) | <u>16 June 1997</u> (Filing Date) | <u>PENDING</u> (Status: patent, pending, abandoned) |
| <u>(Application Number)</u> | <u>(Filing Date)</u> | <u>(Status: patent, pending, abandoned)</u> |

I hereby appoint Beth E. Arnold, Reg. No. 35,430; Paula Campbell, Reg. No. 32,503, Charles H. Cella, Reg. No. 38,099; Isabelle M. Clauss, Reg. (*see attached*); Edward J. Kelly, Reg. No. 38,936; Donald W. Muirhead, Reg. No. 33,978; Chinh Pham, Reg. No. 39,329; Diana Steel, Reg. No. 43,153, Matthew P. Vincent, Reg. No. 36,709; and Anita Varma, Reg. No. 43,221 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Matthew P. Vincent at telephone number (617) 832-1000.

Address all correspondence to: Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109-2170

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jennifer Harney, executrix of the estate of Peter D. Harney

Full name of sole or first inventor (given name, family name)

Jennifer Harney
Inventor's signature

3/2/99

Date

15 Channel Islands Street, Aliso Viejo, CA 92656

Residence

U.S.

Citizenship

Post Office Address (if different)

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